

**PUEBLO OF LAGUNA COUNCIL**

**Resolution No. 92-14**

**Re: Repeal of Illicit Cohabitation law, Pueblo of Laguna Criminal Code Section 15-9-8**

At a duly called meeting of the Pueblo of Laguna Council held on the 15th day of November, 2014, the following resolution was adopted:

**WHEREAS**, the Pueblo of Laguna ("Pueblo") is a federally recognized Indian Tribe with all the inherent sovereign governing powers; and

**WHEREAS**, pursuant to Article IV, Section 2(e), the Pueblo of Laguna Council is the governing body of the Pueblo, with the authority to/ responsibility to establish and enforce ordinances governing the conduct and civil relations of residents of the Pueblo and providing for the maintenance of law and order and the administration of justice within the lands of the Pueblo; and

**WHEREAS**, on May 1, 1968, the Pueblo of Laguna enacted Title XV, the Criminal Code; and

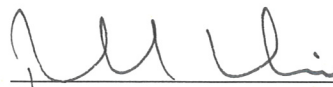
**WHEREAS**, on May 4, 1999, via Resolution 26-99, the Pueblo of Laguna Tribal Council adopted a new Criminal Code for the Pueblo of Laguna, but left the Illicit Cohabitation law intact; and

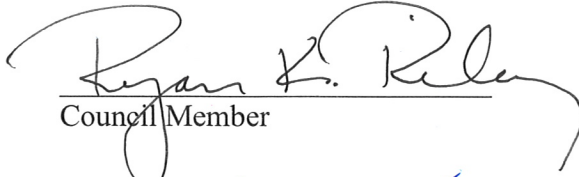
**WHEREAS**, the Pueblo of Laguna Council has determined that the Illicit Cohabitation law is not currently being enforced, and enforcement is not feasible; and


**WHEREAS**, criminal prosecution is not a viable way to address non-marital cohabitation relationships on the Pueblo; and

**WHEREAS**, the Pueblo has other cultural and traditional mechanisms to address cohabitation issues;

**NOW, THEREFORE, BE IT RESOLVED**, that Council hereby repeals Section 15-9-8, Illicit Cohabitation, and removes it from the Pueblo of Laguna Criminal Code.

  
\_\_\_\_\_  
Governor

  
\_\_\_\_\_  
Council Member

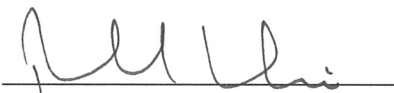
  
\_\_\_\_\_  
Council Member

**ATTEST:**

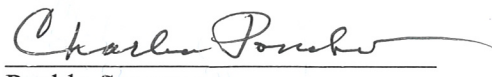
  
\_\_\_\_\_  
Pueblo Secretary

**CERTIFICATION**

The foregoing resolution was enacted upon by the Pueblo of Laguna Council on the 15th day of November, 2014, by a vote of 12 for and 7 opposed, at a duly called meeting at which a quorum of the Council was present.

  
\_\_\_\_\_  
Governor

**ATTEST:**

  
\_\_\_\_\_  
Pueblo Secretary

Section 15-9-8. - Illicit cohabitation.

- A. *Offense.* A person commits the offense of illicit cohabitation if that person resides with or takes up residence with another person not his spouse. For purposes of this offense, it will not matter what the length of time is for the individuals to have resided together, as long as it can be proven that such individual did reside with another not his spouse.
- B. *Sentence.* A person found guilty of this offense shall be sentenced to a jail term not to exceed one hundred twenty (120) days, or be ordered to pay a fine not to exceed five hundred dollars (\$500.00), or both.
- C. *Offense.* It shall be unlawful for any parent to allow any child under the age of eighteen (18), to take up residence with his girlfriend or her boyfriend, if the two (2) are not married.
- D. *Sentence.* A parent found guilty of this offense shall be sentenced to a jail term not to exceed one hundred twenty (120) days, or be ordered to pay a fine not to exceed five hundred dollars (\$500.00), or both.